



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

June 12, 2023

**BY ECF**

Honorable Jesse M. Furman  
United States District Judge  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, New York 10007

**Re: *United States v. Joshua Adam Schulte,*  
S2 17 Cr. 548 (JMF)**

Dear Judge Furman:

The Government and standby counsel for the defendant respectfully submit this joint letter addressing issues identified in the Court's June 6, 2023 Order (D.E. 1055).

With respect to standby counsel's access to the discovery in this matter, the parties have conferred today and standby counsel identified one production set (originally denominated Production #16 of 40) that they had been unable to open. The Government agreed to reproduce that production, as well as to make available a paralegal or other technical personnel to confer with standby counsel about any continuing difficulties that they may have with opening and reviewing any of the discovery that the Government has previously produced or reproduced.

With respect to the defendant's receipt of mail, the parties have conferred, and the Government has also conferred with the court liaison for the Metropolitan Detention Center ("MDC"). Based on those conversations, the Government expects that the procedure being implemented by the MDC, where a unit staff member will visit the defendant daily Monday through Friday, will ensure more prompt delivery of materials sent through U.S. Mail to the defendant by both the Government and standby counsel. The Government understands that the MDC believes that other methods of sending material (such as by Federal Express or messenger) would not meaningfully accelerate the defendant's receipt of such mail. In addition, the Government has confirmed with the MDC that standby counsel will be able to provide materials to the defendant during in-person visits, obviating the need for at least some items to be mailed. Finally, the Government has conferred with the MDC regarding the possibility that the Government could transmit time-sensitive materials to MDC staff for hand-delivery to the defendant. While that is not a procedure that the MDC can accommodate on a routine basis, if, as trial approaches, particular materials cannot be sent through the U.S. Mail on a sufficiently timely basis (such as, given the defendant's self-representation, Court orders requiring a prompt response from the defendant), the MDC is prepared

to continue discussing if and when hand-delivery might be appropriate. In light of the generous pretrial schedule set forth in the Court's previous orders, the Government does not currently anticipate that being necessary and hopes that the currently implemented procedures will prove adequate. Nevertheless, the Government has advised the MDC that the unpredictability of litigation in the immediate run-up to trial may make it necessary under particular circumstances.

The Government and standby counsel will be happy to address any further questions the Court has regarding these matters at the conference scheduled for June 15, 2023.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney

by: \_\_\_\_\_/s/\_\_\_\_\_  
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cc: Standby counsel (by ECF)  
Joshua Adam Schulte (by U.S. Mail)